

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 7, 2002**

The Tippecanoe County Commissioners met on Monday, October 7, 2002 at 9:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order and led the Pledge of Allegiance.

PROCLAMATION: Mental Illness Awareness Week

The Commissioners read the Proclamation declaring October 6 through October 12, 2002 as Mental Illness Awareness Week in Lafayette, West Lafayette, and Tippecanoe County. Lafayette Mayor Dave Heath and West Lafayette Mayor Sonya Margerum were unable to attend today's meeting.

(quote)

GOVERNMENT PROCLAMATION

WHEREAS, **The strongest weapon in the fight against mental illness is science.**

and

WHEREAS, **A new perception of mental illness is emerging – one that focuses on early intervention, effective treatment, rehabilitation, and recovery.**

and

WHEREAS, **Barriers to mental illness recovery are falling one by one.**

WHEREAS, **Treatment works – if a person with a mental illness can get it.**

and

WHEREAS, **The nation's mental healthcare system is in crisis.**

and

WHEREAS, **Research on mental illness is significantly underfunded in relation to its economic and public health impact.**

and

WHEREAS, **Stigma continues to be the single most significant barrier to people getting the help they need.**

NOW, THEREFORE RESOLVED, I, **Dave Heath**, Mayor of Lafayette, and I, **Sonya Margerum** Mayor of West Lafayette, and I, **John Knochel**, president of the County Commissioners, do hereby proclaim October 6 through October 12, 2002 as Mental Illness Awareness Week in Lafayette, West Lafayette, and Tippecanoe County, Indiana, to increase public awareness of severe mental illness and to promote greater understanding for those who suffer from the potentially disabling symptoms of these disorders.

Dave Heath, Mayor of Lafayette

Sonya Margerum, Mayor of West Lafayette

John Knochel, President, Tippecanoe County Board of Commissioners

(unquote)

Cecilia Weber, Executive Director of NAMI (National Alliance for the Mentally Ill) West Central Indiana said this week is possible because NAMI received a \$5,000 grant to do bi-polar awareness. Events this week will include distribution of a videotape titled "Hearts & Minds: Teens and Mental Illness" to schools and libraries, a panel discussion by people with bipolar relating the onset of their symptoms and treatment experiences, and a book signing by Lizzie Simon, author of Detour: My Bipolar Road Trip in 4-D.

APPROVAL OF MINUTES

- Commissioner Benson moved to approve the minutes of the September 16, 2002 Regular Meeting and October 2, 2002 Special Meeting as distributed, seconded by Commissioner Shedd; motion carried.

APPROVAL OF CLAIMS

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Shedd moved to approve the Claims for the periods ending September 20, 2002, September 27, 2002, and October 7, 2002 as submitted, seconded by Commissioner Benson; motion carried.

JAIL EXPANSION UPDATE: Kettelhut Representative Steve Habben

Mr. Habben reported:

- Holding is completed and final inspections are being conducted. The area is receiving a final cleaning and the security system is being checked. He expects to house inmates there by mid-month.
- In the new cell pod, masonry work on one outdoor recreational area is being completed. They are painting, installing a steel mezzanine and ceilings, and continuing with mechanical and electrical work.
- Mr. Habben thinks the work is on target for a March opening date.

The Commissioners scheduled a tour of the new Holding area at 1:30, Monday, October 14, 2002.

HIGHWAY: Executive Director Mark Albers**AWARD TANDEM AXLE DUMP TRUCK BID: Opened 9/4/2002**

Mr. Albers explained that they requested bids for two (2) trucks but the amount for two exceeded the budget. He recommended awarding the bid for one (1) truck to Indiana Truck Sales in the amount of \$110,683.

- Commissioner Benson moved to award Indiana Truck Sales the bid for one Tandem Axle Dump Truck, seconded by Commissioner Shedd; motion carried.

AWARD QUOTE: Culvert Pipe

Quotes from St Regis, DEBCO, CPI, and EJP were received for 2002 Culvert Pipe. Mr. Albers recommended awarding the quote to St. Regis Culvert, Inc. in the amount of \$45,391.68 for Corrugated Metal Pipe (CMP) and to CPI Supply in the amount of \$9,185.72 for Black Plastic Pipe.

- Upon Mr. Albers' recommendation, Commissioner Benson moved to award the quote to St. Regis for Corrugated Metal Pipe and to CPI for Black Plastic Pipe, seconded by Commissioner Shedd; motion carried.

CONSULTANT: Bridge #138 Rehabilitation Project

Rehabilitation of Bridge #138, located on CR 900 E over the Wildcat Creek, will use Innovative Bridge Fund monies for the project using fiber reinforced polymer for a much lighter bridge deck. This lighter deck should cause less wear and tear on the bridge structure for an extended life. Mr. Albers recommended selecting H. Stewart Kline & Associates, a local firm, as consultant to provide design services and construction inspection services required for the project. Of the firms that submitted RFPs, Mr. Albers thinks Kline has the best qualifications.

- Commissioner Benson moved to select H. Stewart Kline & Associates as consultant for the Bridge #138 Rehabilitation Project, seconded by Commissioner Shedd; motion carried.

AGREEMENT: Engineering for Bridge #U209 (Lilly Bridge)

Mr. Albers recommended approval of an Engineering Agreement with USI Consultants, Inc. to conduct a Feasibility Study and to provide a Federal Aid Environmental Document for Bridge #U209 for an amount not to exceed \$35,000.

- Commissioner Benson moved to approve the Engineering Agreement with USI Consultants, Inc. for a Feasibility Study and an Environmental Document for Bridge #U209, seconded by Commissioner Shedd; motion carried.

GRANTS OF RIGHT OF WAY: By Parcelization

Mr. Albers presented the following Grants of Right-of-Way by parcelization for acceptance:

- Key #132-01300-0130: 30' R-O-W west of center line of CR 475 W; A part of the W ½ of the SW ¼ of Sec 4, Twp 23 N, R 5 W in Wabash Twp from James A. & Pauline A. Papke.
- Key #124-04000-0128
Key #124-04000-0293: 40' R-O-W north of center line of CR 500 N; Part of the SW ¼ of the SW ¼ of Sec 28, Twp 24 N, R 4 W in Tippecanoe Twp from Fred M. Kuipers & Andrea D. Kuipers.
- Key #144-03500-0098: 30' R-O-W south of approximate center line of CR 700 S; A part of the NE ¼ of the SW ¼ of Sec 32, Twp 22 N, R 4 W in Wea Twp from Gutwein & Associates, LLC by Gilbert Gutwein, Agent Manager.
- Key #120-00200-0151: 30' R-O-W northeast of center line of Hoover Rd; A part of the NW ¼ of Sec 5, Twp 23 N, R 5 W in Shelby Twp from Barry D. & Karen S. Little and Michael L. & Linda F. Sims.
- Key #140-02900-0276: 30' R-O-W north of center line of CR 650 S; A part of the SW ¼ of the NE ¼ of Sec 26, Twp 22 N, R 6 W in Wayne Twp from Billy Graham Evangelistic Association by Joel B. Aarsvold, Secty, by Stephen G. Scholle, Dir. of Operational Services, and Milton E. & Mercedes E. Ratliff.
- Key #138-03200-0360: 40' R-O-W north of the south line center line of CR 450 N; A part of the W ½ of the NE ¼ of Sec 36 in Twp 24 N, R 4 W in Washington Twp from Francis R. & Elsie Edmondson and Shirl Gordon-Donaldson.
- Key #140-00900-0186: Part of the E ¼ of the W ¼ of the SE ¼ of Sec 29, Twp 22 N, R 5 W in Wayne Twp from Jerome E. & Mary M. Loser.

CONSTRUCTION MAINTENANCE BONDS

- Commissioner Benson moved to approve 3 year Construction Maintenance Bond #5855813 for American Paving & Asphalt Inc. in the amount of \$5,000 and 3 year Construction Maintenance Bond #5855770 for Keiser & Keiser Partnership in the amount of \$5,000 for an entrance to the Wea Baseball Diamond at CR 150 E, seconded by Commissioner Shedd; motion carried.

CERTIFICATES OF INSURANCE

- Lincoln General for Central Indiana Mack Sales & Service Inc D/B/A Indiana Truck Sales, Indiana Mack Leasing, LLC
- Cincinnati Insurance Co, Cincinnati Casualty Company for Community Homes Inc
- American Home Assurance, Travelers Ins Co, National Union Fire for McLeod USA Inc. & Subsidiaries
- Lloyds of London, American Home Assurance Co, Guardian Underwriters Reassurance Limited, Claredon National for Bennett MTR Exp., Inc./BTT,LLC/Pride Lines, a Div. of BTT,LLC/Barrett Mobile Home a Div.

of BTT,CCL

- ♦ Indian Harbor Insurance Company, Canal Insurance Company, Essex Insurance Company for Lomax & Sons Construction, Inc.
- ♦ Cincinnati Insurance, Fireman's Fund Ins. Co., Cincinnati Casualty for CPM, Construction, Planning & Management, Inc.
- ♦ Indiana Farmers Mutual for Blacker Enterprises
- ♦ Zurich Small Business for Colvin Builders Inc
- ♦ Auto Owners Insurance Company for D & K Construction, Inc.
- ♦ Northern Ins Co of New York, Cincinnati Insurance, Accident Fund for Downham Custom Homes, Inc.
- ♦ Affordable Home Services Inc for Manufactured Housing Services Inc
- ♦ Indiana Farmers Mutual for Kenneth E. & Connie S. Bodkin

ORDINANCE 2002-38-CM: Z-2082, Brian Scaggs AW to A

- Commissioner Benson moved to hear and approve Ordinance 2002-38-CM, seconded by Commissioner Shedd.

(quote)

September 19, 2002

Ref. No.: 02-558

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

Attn: Tippecanoe County Auditor

CERTIFICATION

RE.- Z-2082-BRIAN SCAGGS (AW TO A):

Petitioner is requesting the rezoning of 1 acre located on the north side of SR 38 East, 1/4 mile west of CR 800 E, at 7720 SR 38 East, Sheffield 4 (SE) 22-3.

Dear County Commissioners:

As Secretary Pro Tempore to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 18, 2002, the Area Plan Commission of Tippecanoe County voted 11 yes - 1 no on the motion to rezone the subject real estate from AW TO A. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their October 7, 2002 regular meeting.

Sincerely,
/s/James D. Hawley,
Executive Director

ORDINANCE NO. 2002-38-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE FROM AW TO A**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF

TIPPECANOE, INDIANA;

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not a part of the unified county code is hereby amended to rezone the following described real estate situated in Sheffield Township, Tippecanoe County, Indiana, to-wit:

Beginning at a point approximately 442 feet East and 344.9 feet north of the Southeast corner of the West half of the Southeast quarter of Section 4, Township 22 North, Range 3 West; thence North 2 3/4 degrees West along the property line for a distance of 264 feet; thence South 78 1/2 degrees West for a distance of 167 feet; thence South 2 3/4 degrees East for a distance of 264 feet; thence North 78 1/2 degrees East for a distance of 167 feet to the point of beginning. This tract containing approximately 1 acre is all located in the Southeast quarter of the above mentioned section.

Located in Sheffield Township, Tippecanoe County, Indiana.

Section 2. The above described real estate should be and the same is hereby rezoned from AW to A.

Section 3. This ordinance shall be in full force and effect from and after its passage.

(Adopted and passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana this 7th day of October, 2002.

VOTE:

President _____

Vice President _____

Member _____

ATTEST:

Auditor

(unquote)

Representing the petitioner, Attorney Joe Bumbleburg said Mr. Skaggs operates a small machine repair business located on a .88 acre tract east of Dayton and is seeking proper zoning for loan purposes. He makes computer generated parts, does small welding jobs for area farmers, but does no auto repair. He occasionally hires part-time help for which he has sufficient parking but few customers come to this site. Mr. Bumbleburg said the Dayton Town Board President endorsed this rezoning request.

There being no questions or comments, Auditor Plantenga recorded the vote:

John Knochel Yes

KD Benson Yes

Ruth Shedd Yes

- The motion to approve Ordinance 2002-38-CM passed 3 – 0.

ORDINANCE 2002-39-CM: Z-2091, Mary Lynne Harmon R1 to RD

- Commissioner Benson moved to hear and approve Ordinance 2002-39-CM, seconded by Commissioner Shedd.

(quote)

September 19, 2002
Ref. No.: 02-563

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

Attn: Tippecanoe County Auditor

CERTIFICATION

RE: Z-2091-MARY LYNNE HARMON (R1 TO RE):

Petitioner is requesting the rezoning of 4.76 acres in order to permit a two-lot rural estate subdivision on property located at 1 Castellan Drive, south of CR 200 N, Perry 18 (NW) 23-3.

Dear County Commissioners:

As Secretary Pro Tempore to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 18, 2002, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from R1 TO RE. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their October 7, 2002 regular meeting.

Sincerely,
/s/James D. Hawley
Executive Director

**ORDINANCE NO. 2002-39-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA,
TO REZONE CERTAIN REAL ESTATE FROM R1 TO RE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
TIPPECANOE, INDIANA:**

SECTION 1:

The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Township, Tippecanoe County, Indiana, to wit:

A part of the Northwest Quarter of Section 18, Township 23 North, Range 3 West, Perry Township, Tippecanoe County, Indiana, described as follows:

Commencing at the Northwestern corner of the Northwest quarter of said Section 18: thence North 90° 00' 00" East, along the Northern line of the Northwest Quarter of said Section Eighteen, 1,386.76 feet to the centerline of the utilities and ingress and egress easement; thence traversing said easement of the following four (4) courses: South 0° 00' 00" West, 155.02 feet; thence Southeasterly on a curve to the left having a central angle of 16° 00' 00", a radius of 800.00 feet, an arc distance of 223.40 feet; thence Southerly on a curve to the right having a central angle of 33° 00' 00", a radius of 350.00 feet, an arc distance of 201.59 feet; thence

Southerly on a curve to the left having a central angle of 37° 00' 00", a radius of 350.00 feet, an arc distance of 226.02 feet, to the point of beginning of this description; thence North 90° 00' 00" East, 305.06 feet; thence South 0° 22' 30" East, 633.64 feet; thence North 90° 00' 00" West 386.66 feet; thence North 0° 00' 00" East, 99.99 feet; thence North 17° 00' 00" East, 288.02 feet, to a point in the centerline of said utilities and ingress and egress easement; thence Northerly along said easement on a curve to the left having a central angle of 37° 00' 00", a radius of 407.00 feet, an arc distance of 262.83 feet, to the point of beginning, containing 4.76 acres, more or less.

SECTION II:

The real estate described above should be and the same is hereby rezoned from R 1 to RE

SECTION III:

This ordinance shall be in full force and effect from and after its passage.

(Adopted and passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 7th day of October, 2002.

VOTE:

John Knochel – President

KD Benson - Vice. Pres.

Ruth Shedd - Member

Attest: _____

Robert A. Plantenga - Auditor

(unquote)

Pat Cunningham, Vester & Associates, represented the petitioner and requested a zoning change to RE for 4.76 acres that was parcelized in 1982. The property located at 1 Castellan Drive, a private drive, that will need an upgrade to the turnaround if this is approved. Mr. Cunningham said the acreage is wooded and has not been mechanically harvested. He thinks this additional lot will benefit the tax base.

There being no questions or comments, Auditor Plantenga recorded the vote:

KD Benson Yes
Ruth Shedd Yes
John Knochel Yes

- The motion to approve Ordinance 2002-39-CM passed 3 – 0.

CONSULTING AGREEMENT: RE Sutton & Associates, LLC: Human Resources Director Frank Cederquist

Mr. Cederquist presented this Agreement for Professional Consulting Services from RE Sutton & Associates LLC who has purchased D.B. Englehart & Associates. RE Sutton will assist in administration of the County's group health, dental, vision, life and AD & D employee benefit plan. The County will pay them \$600 per month for this service.

- Commissioner Benson moved to approve the Professional Consulting Services Agreement between RE Sutton & Associates LLC and Tippecanoe County, seconded by Commissioner Shedd; motion carried.

HOLIDAY SCHEDULE: 2003: Human Resources Director Frank Cederquist

Mr. Cederquist submitted the proposed 2003 Holiday Schedule for approval:

(quote)

DATE	HOLIDAY	DAY
January 1, 2003	New Year's Day	Wednesday
January 20, 2003	Martin Luther King's Birthday	Monday
February 17, 2003	President's Day	Monday
May 6, 2003	Primary Election Day	Tuesday
May 26, 2003	Memorial Day	Monday
July 4, 2003	Independence Day	Friday
September 1, 2003	Labor Day	Monday
November 4, 2003	General Election Day	Tuesday
November 11, 2003	Veterans Day	Tuesday
November 27 & 28, 2003	Thanksgiving Day	Thursday/Friday
December 25 & 26, 2003	Christmas Day	Thursday/Friday

2 Personal Holidays

February 12, 2003	Lincoln's Birthday
October 13, 2003	Columbus Day

1. All offices will be open Good Friday, April 18, 2003 for regular business.
2. Only employees of offices open for regular business on February 12, 2003, and October 13, 2003 are eligible for personal holidays.
3. A personal holiday may not be taken prior to being earned. In other words, a personal holiday may be taken on the date for which the personal holiday is designated for or later.
4. If an eligible employee fails to take personal holiday(s) by December 31, 2003, the personal holiday(s) will be forfeited.
5. A request for personal holiday(s) shall be submitted to the employee's immediate Department Head and may be taken only after approval.
6. For new hires, the number of personal holidays allowed shall be the number of personal holidays left during the year following the day of employment.
7. For employees who terminate employment with the County, the number of personal holidays allowed shall be the number of personal holidays observed to date.

(unquote)

- Commissioner Benson moved to approve the 2003 Holiday Schedule, seconded by Commissioner Shedd.

President Knochel asked if the Commissioners want to consider giving Good Friday as a holiday. He said the City of Lafayette does and the City of West Lafayette does not. Commissioner Shedd suggested adding Good Friday as a holiday in an off-election year. Mr. Cederquist explained that in prior years the Commissioners have given the second day at Christmas in place of Good Friday. For 2003 that day will be December 26.

- The motion carried.

REVISED BEREAVEMENT LEAVE POLICY: Human Resources Director Frank Cederquist

Mr. Cederquist read the proposed revised Policy:

(quote)

PROPOSED REVISED BEREAVEMENT LEAVE POLICY

Eligible employees are entitled to paid bereavement leave. An employee wishing to take time off for the death of a family member should notify his/her Elected Official/Department Head immediately.

An employee is eligible for up to five workdays of paid bereavement leave over seven consecutive calendar days for the death of your spouse, parent, child, brother sister or corresponding step-relative or up to three workdays of paid bereavement leave over five consecutive calendar days for the death of a grandparent, grandchild or corresponding in-law.

An employee is eligible for up to two consecutive workdays of paid bereavement leave for the death of your uncle, aunt, niece, nephew or first (sic) cousin.

An employee will be paid only for days lost from their regular schedule.

In the event of death of a co-worker in the employee's immediate office, an employee will be granted leave to attend the wake or funeral service, subject to the staffing needs of the office, as determined by the Elected Official/Department Head.

Absence for other funerals will be considered personal leave.

(unquote)

Tippecanoe Employee Committee (TEC) representative Jason Huber asked the Commissioners to consider adding travel time of one (1) day for 500 to 1000 miles and two (2) days over 1000 miles.

- Commissioner Benson moved to approve the revised Bereavement Leave Policy with the addition of one travel day for 500 to 1000 miles and two days for over 1000 miles, seconded by Commissioner Shedd; motion carried.

HISTORIC PRESERVATION FUND GRANT APPLICATION: Grant Coordinator Jessica Rebmann

Mrs. Rebmann asked the Commissioners to authorize an application for a Historic Preservation Fund Grant for windows at the Courthouse along with assurances covering civil rights, procurement procedures, and availability of all records. In addition, she asked the Commissioners to sign a letter of support and commitment for the grant application. If the grant is approved, Mrs. Rebmann said the Commissioners will be required to sign a covenant with the State that the County will not violate Historic Preservation Standards for a period of ten (10) years.

- Commissioner Benson moved to approve and authorize the President to sign the application for the Historic Preservation Fund Grant and authorize the signing of the Letter of Commitment by all three Commissioners, seconded by Commissioner Shedd; motion carried.

COMMUNITY CORRECTIONS: Work Release Director Pat Scowden

Mr. Scowden requested approval of a new Head Case Manager who will supervise the Case Managers and have a case load as well. The request for an additional Case Manager will bring the total to six (6). The addition of these two positions will enable round-the-clock coverage seven days per week. These positions will be paid from Project Income (user fees).

- Commissioner Benson moved to approve the new positions of Head Case Manager and Case Manager for the Work Release Program, seconded by Commissioner Shedd; motion carried.

ORDINANCE 2002-37-CM: Monthly Access Fees for County Computers: 2nd Reading: MITS Systems Administrator Pete Allen

Attorney Luhman explained this Ordinance allows Internet access to County computers for a monthly user fee of \$10.00 per password. The General Fund will received \$5.00 of that amount and the Enhanced Access Fund for Online Services will receive \$5.00. Mr. Allen interjected that they currently charge a \$25.00 dial-up fee but only three (3) users can access County records at one time. He noted that the equipment is over ten (10) years old. He said they expect usage by outside users to increase with this new service.

Auditor Plantenga questioned if more than half of the \$10.00 should go to the General Fund since the Programmers, who will be making changes to the program, are paid from the General Fund. Mr. Allen responded that they will be charging offices that require changes to the programs. Commissioner Benson said this is a work in progress and thought the funding allocations should be left as stated for now.

- Commissioner Benson moved to approve Ordinance 2002-37-CM on second reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

Ruth Shedd Yes
John Knochel Yes
KD Benson Yes

- The motion to approve Ordinance 2002-37-CM on second reading passed 3 – 0.

CONTRACT: Business Personal Property Audit Services: Tax Management

Attorney Luhman explained the County has a contract with Tax Management to provide auditing services of Business and Personal Property Tax Returns for the County Assessor. This contract is being amended following a change in legislation which no longer allows the fee to be contingent upon recovery but is now based upon the classification of the taxpayer determined by the assessed true valuation. Mr. Luhman read the fee schedule:

(quote)

Classification	Assessed True Valuation Range	Audit
	(in dollars)	
A	\$50,000-\$399,999	\$700.00
B	\$400,000-\$999,999	\$1,400.00
C	\$1,000,000-\$4,999,999	\$2,200.00
D	\$5,000,000-\$19,999,999	\$6,000.00
D3	Over \$20,000,000	\$10,000.00

(unquote)

Mr. Luhman continued by saying the Contract includes a not-to-exceed amount of the tax collected by the County as a result of the audits. Monies received will be used to pay for the audit services.

- Commissioner Benson moved to approve the Contract with Tax Management for Business and Personal Property Audit Services, seconded by Commissioner Shedd; motion carried.

APPOINTMENT: Resource Conservation & Development District Board

- Commissioner Benson moved to appoint Dawn Boston as Tippecanoe County's delegate to the Resource Conservation & Development District Board, seconded by Commissioner Shedd; motion carried.

APPOINTMENT: Tippecanoe Villa

- Commissioner Benson moved to approve the application of Hildred A. Reeder to the Tippecanoe Villa, seconded by Commissioner Shedd; motion carried.

UNFINISHED BUSINESS

AGREEMENT: Professional Services: Financial Solutions Group, Inc.

- Commissioner Benson moved to approve the Agreement with Financial Solutions Group, Inc. for professional services in connection with cash management practices and banking services, seconded by Commissioner Shedd; motion carried.

ENGAGEMENT LETTER: Rebate Computations: Ice Miller

Attorney Luhman explained that the County issued Bond Tax Anticipations Notes in 2000 with respect to approximately \$2 million of Highway Funds that were deposited into a Highway Revolving Fund. This was done under an exception allowing us to issue these as tax exempt notes if less than \$5 million were issued in one year. Later that year, the County issued EDIT Bonds for construction of the Parking Garage which made us exceed our \$5 million limitation. We now have to perform a calculation to determine that the County has not exceeded the interest limitations to be sure we haven't arbitrated our tax exempt bonds. This Engagement Letter from Ice Miller states their fee for these services is \$2,000 - \$3,000 for an 18-month Spend-down calculation or \$3,500 - \$4,500 for a two to three year computation.

- Commissioner Benson moved to accept the Engagement Letter from Ice Miller to conduct rebate calculations for the 2000 Bond Tax Anticipation Notes, seconded by Commissioner Shedd; motion carried.

REPORTS

Reports from Tippecanoe Villa and Veterans Affairs are on file in the Commissioners' Office for review.

PUBLIC COMMENT

None.

RECESSED

The meeting recessed until 10:30 A.M.

RECONVENED:***POOR RELIEF HEARING: Debra Hardy vs Wea Township Trustee***

Present were petitioner Debra Hardy, Township Attorney Donald Daniel, and Wea Township Caseworker Roseanne Giltner.

After the participants were instructed on the procedures, they were sworn in by Attorney Luhman.

Ms Hardy said she was applied for rent assistance of \$665 for September but was denied. She explained she couldn't pay the rent because she lost her job at Wabash Center due to the number of court hearings she was required to attend for her 13 year old son. In addition, she was incarcerated for contempt of court for failure to pay \$600 she owed in restitution payments imposed in April 2002 for her son's placement in a State residential facility. After discussing the situation with her fiancée, Ms Hardy said he used his retirement check money to pay the \$600 to get her out of jail instead of paying the rent. Since she felt she needed to get out of jail to seek employment and take care of her 16 year old daughter who lives at home, she requested an exception to the Township's Guidelines.

Attorney Daniel asked Ms Hardy if she is currently employed. She responded that she is in her fourth week of employment at Meijer's.

Mrs. Giltner, Township Caseworker, testified that the Township Standards were applied to Ms Hardy's request. Attorney Daniel asked that the Standards be admitted as Exhibit 1 and noted that the Basic Needs section of eligible expenses begins on page 9. They are: Food, Shelter, Essential Utility Services, Clothing, Household Essentials, Medical Services, and Burial Expenses.

Mrs. Giltner said the Township's limit for rent assistance is \$475 but Ms Hardy's reason for needing help did not fit the Standards. Paying \$600 for bail plus \$250 for attorney fees were considered wasted resources. Mrs. Giltner said the Township paid Ms Hardy \$191 in 2001 to pay her heating bill.

Attorney Luhman instructed the participants to submit their written proposed Findings of Fact by 4:30 P.M., Wednesday, October 9, 2002. The Commissioners will issue their Order within five (5) days. He then offered both sides the opportunity to summarize their positions.

Ms Hardy said she receives monthly payments of \$256 for TANF and \$254 for Child Support. Her fiancée' receives \$510 per month for retirement. Her fiancée' paid \$600 to get her out of jail and she used her TANF check to pay for utilities. Ms Hardy said she needs to work but doesn't want her children taken from her.

Attorney Daniel stated Ms Hardy is asking for an exception but the Township has to follow the Standards. He said the Township can't afford to pay child support for its residents and Ms Hardy owes \$70,000 for her son's care. He believes the Township followed the Standards.

RECESSED/RECONVENED

The meeting recessed and reconvened at 11:30 A.M. for a second Poor Relief Hearing.

POOR RELIEF HEARING: Tracy Smart vs Lauramie Township Trustee

- After waiting for the petitioner until 11:40 A.M., Commissioner Benson moved to dismiss the appeal due to Tracy Smart's failure to appear, seconded by Commissioner Shedd; motion carried.

**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor